

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\*\*\*\*\*  
STEVEN RAMSEY, )  
Plaintiff )  
 )  
v. )  
 )  
JAY CASHMAN, INC. )  
Defendant )  
\*\*\*\*\*

Civil Action No.:  
04-CV-10699-RCL

**DEFENDANT'S PROPOSED VOIR DIRE QUESTIONS**

In addition this court's standard voir dire questions (i.e. predispositions, potential conflicts, current or past relationship to parties and witnesses, etc...) the defendant respectfully requests that the following specific questions be included, if not already covered.

1. Where do you work?
  - a. What do you do there?
  - b. How long do you intend to continue working?
  - c. Do you plan or anticipate retiring?
    - (1) If so, when?
2. Where does your spouse/significant other work?
  - a. Does he/she like his/her job?
3. Have you or any members of your family ever been a plaintiff in a civil suit?
  - a. If so, please describe the suit (type of defendant, amount involved, and nature of claim) and the outcome.
  - b. Were you/they satisfied with the outcome?

4. Do you or any family or close friends work or have experience in the legal field or court system?
  - a. Please tell us about your/their experience?
5. Have any of you sat as a juror before?
  - a. If so when, type of case, and outcome?
  - b. Anything about experience as juror that might influence the way you think about law suits generally or this case in particular?
6. Have you or any members of your family ever had a claim against another or filed a claim against another which did not result in a lawsuit?
  - a. If so, please describe the claim (against whom it was made, amount involved, nature of claim) and the outcome.
7. Have you ever been seriously injured, or has any member of your immediate family been seriously injured?
  - a. Describe circumstances of accident/injury.
8. Is it your understanding that persons can recover completely from a broken neck?
9. Have you or a family member or close friend ever had neck pain severe enough to require medical attention?
  - a. Please provide details of injury and treatment.
  - b. Please provide details of impairment if any.
10. Do you naturally favor an individual over a corporation such as Jay Cashman, Inc.?
11. Do you think a corporation should be held to a different standard than an individual?
  - a. A higher standard?
12. Have you heard or read about this case?
  - a. What did you hear and/or read?
  - b. What opinions, if any do you have?

13. If you liked the plaintiff and felt sorry for him because of his accident, his injuries, or his present condition, would you be able to award him nothing if he failed to prove that the defendant was negligent?
14. If you liked the plaintiff and felt sorry for him because of his accident, his injuries, or his present condition, would you be able to award him nothing if he failed to prove that his condition was causally related to the accident?
15. If the plaintiff was unable to work because of a number of serious ailments that are unrelated to the accident, would you be able to give him nothing for those conditions?
16. Do you agree that workers share responsibility for their own safety and must take precautions while working and that an employer, even the owner of a dredge, is not a guarantor of safety?
17. Have you or any member of your immediate family ever been a member of a trade or labor union?
  - a. If so, would you naturally be inclined to favor a union member?
18. Do you believe that the plaintiff must deserve some money because the lawsuit has made it this far?
19. Can you accept that accidents can happen without someone being negligent?
20. Have you ever been accused of a crime?
  - a. If so, please provide details.
21. Can you accept that testimony by deposition by persons not available for trial or who live out of state is to be given the same weight and consideration as live testimony?

22. Can you think of any reason why you could not fairly and impartially decide this case?

Defendants also propose that inquiry be made into the following:

- Principal hobbies including sports; and
- Whether the prospective juror served on other juries, the type of case whether their experience will influence them here.

By its attorneys,

/s/ Robert J. Murphy  
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Dated: May 23, 2007

#### **CERTIFICATE OF SERVICE**

This is to certify that on May 23, 2007, Defendant's Proposed Voir Dire Questions was electronically filed with the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

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